



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes

### Special Magistrate

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**Tuesday, November 24, 2015**

**5:30 PM**

**Council Chambers**

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#### **1. CALL TO ORDER:**

The meeting was called to order at 5:30 p.m. by Special Magistrate Cino.

#### **2. PLEDGE TO THE FLAG:**

#### **3. ROLL CALL:**

Special Magistrate Charles Cino present.  
Hearing Clerk Dana Johnson present.  
Enforcement Services Director Dale Baker present.

#### **4. SPECIAL MAGISTRATE STATEMENT:**

Presented by Charles Cino.  
Mr. Cino has taken Judicial Notice of all City of Deltona Ordinances, State Statutes, Florida Building and Fire Code and the International Property Maintenance Code.

#### **5. DISCLOSURE OF EX PARTE COMMUNICATIONS:**

None.

#### **6. APPROVAL OF AGENDA & MINUTES:**

The Minutes of the Special Magistrate Hearing for October 28, 2015 were approved by the Special Magistrate, Charles Cino.

#### **7. ANNOUNCEMENTS:**

The Director of the Building and Enforcement Services Department stated that under Old Business, case(s) DEL-15-254, DEL-15-255, DEL-15-256, and DEL-15-257, and DEL-15-266 are/were in compliance and under New Business, case(s) DEL-15-279, DEL-15-280, and DEL-15-281 were found to be in non compliance at time of violation, came into compliance and cases are/were dismissed, and case(s) DEL-15-282 and DEL-15-283 are/were withdrawn.

**8. SWEARING IN OF OFFICERS AND WITNESSES:**

Special Magistrate Charles Cino swore in all that were present to testify.

**9. OLD BUSINESS:****A. DEL-15-214**

**Iris D. & Wilbert E. Moore**

**2917 Glenridge Terr., Deltona, Florida 32738**

**Property Address: 2917 Glenridge Terr., Deltona, Florida 32738**

**Parcel No.: 30-18-31-32-55-0200**

**Violation: City of Deltona Ordinance, Section 48-3. - Sexual offenders and sexual predators residence prohibition; exceptions; penalties; violation; application. It is unlawful for any person who is a restricted sexual offender or a designated sexual predator, where the victim is a minor, to establish or maintain a permanent, temporary or transient residence within 2,500 feet of any public or private school, day care center, park, playground or other place where children regularly congregate. (Officer Julie Hughes)**

Order of Non Compliance with a Hearing to Impose Fine at the January 27, 2016 Code Hearing. Fine to be assessed if Wilbert E. Moore is not registered somewhere outside of Volusia County. Iris D. & Wilbert E. Moore were present.

**B. DEL-15-222**

**George & Carmen Green**

**2379 Academy Ave., Deltona, Florida 32738**

**Property Address: 2379 Academy Ave., Deltona, Florida 32738**

**Parcel No.: 30-18-31-32-07-0100**

**Violation: City of Deltona Ordinance, Section 18-3, adopting the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit - permit for wood & tarp structure. (Officer Steve Braukhoff)**

First Amended Order of Non Compliance with a Hearing to Impose Fine at the January 27, 2016 Code Hearing. Carmen Green was present.

**C. DEL-15-232**

**Nancy Harmon**

**578 S. Anchor Dr., Deltona, Florida 32725**

**Property Address: 1476 Argo Ct., Deltona, Florida 32725**

**Parcel No.: 30-18-31-30-07-0160**

**Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.13, which states that every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. (Officer Heather Murray)**

Order Imposing Penalty/Lien was issued for \$50.00 a day effective November 24, 2015 until in compliance or the cap of \$20,000.00 is reached.

**D. DEL-15-233**

**Nancy Harmon**

**578 S. Anchor Dr., Deltona, Florida 32725**

**Property Address: 1476 Argo Ct., Deltona, Florida 32725**

**Parcel No.: 30-18-31-30-07-0160**

**Violation: City of Deltona Ordinance, Section 18-3, adopting the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit - permit for electrical. (Officer Heather Murray)**

Order Imposing Penalty/Lien was issued for \$50.00 a day effective November 24, 2015 until in compliance or the cap of \$20,000.00 is reached.

**E. DEL-15-247**

**Kayli Hancock**

**2219 Howland Blvd., Deltona, Florida 32738**

**Property Address: 2219 Howland Blvd., Deltona, Florida 32738**

**Parcel No.: 30-18-31-74-59-0050**

**Violation: City of Deltona Ordinance, Section 66-18 (e), which states that no vehicles may be parked or stored in the front yard forward of the edge of the principal dwelling except on the approved driveway or driveway extension. (Officer Julie Hughes)**

Order Imposing Penalty/Lien was issued for \$100.00 a day effective November 24, 2015 until in compliance or the cap of \$20,000.00 is reached.

**F. DEL-15-253**

**Griselda & Jesus X. Nunez**

**1411 E. Lombardy Dr., Deltona, Florida 32725**

**Property Address: 1411 E. Lombardy Dr., Deltona, Florida 32725**

**Parcel No.: 30-18-31-30-12-0110**

**Violation: City of Deltona Ordinance, Section 38-110 (1), which states that weeds, where the greater portion of weeds on the lot exceeds 12 inches in height, are declared to be a nuisance and must be abated in their entirety. (Officer Lonnie Wilson)**

Order Imposing Penalty/Lien was issued for \$50.00 a day effective November 24, 2015 until in compliance or the cap of \$20,000.00 is reached. Officer Murray presented case for Officer Wilson.

**G. DEL-15-254****Griselda & Jesus X. Nunez****1411 E. Lombardy Dr., Deltona, Florida 32725****Property Address: 1411 E. Lombardy Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-30-12-0110**

**Violation: City of Deltona Ordinance, Section 18-5, which adopting the latest edition of the International Property Maintenance Code, Section 302.7, which states all accessory structures, including detached garages, fences and walls, shall be maintained and kept in good repair and sound structural condition. (Officer Lonnie Wilson)**

Affidavit of Compliance submitted by the officer and an Order of Compliance was signed by the Special Magistrate.

**H. DEL-15-255****Joyce Reid Capital LLC****2816 Kilgore St., Orlando, Florida 32803****Property Address: 1417 E. Lombardy Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-30-12-0120**

**Violation: City of Deltona Ordinance, Section 38-110 (2), which states that accumulations of waste, yard trash, rubble and/or debris are declared to be a nuisance and must be abated in their entirety. (Officer Lonnie Wilson)**

Affidavit of Compliance submitted by the officer and an Order of Compliance was signed by the Special Magistrate.

**I. DEL-15-256****Joyce Reid Capital LLC****2816 Kilgore St., Orlando, Florida 32803****Property Address: 1417 E. Lombardy Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-30-12-0120**

**Violation: City of Deltona Ordinance, Section 18-5, which adopting the latest edition of the International Property Maintenance Code, Section 302.7, which states all accessory structures, including detached garages, fences and walls, shall be maintained and kept in good repair and sound structural condition. (Officer Lonnie Wilson)**

Affidavit of Compliance submitted by the officer and an Order of Compliance was signed by the Special Magistrate.

**J. DEL-15-257****Joyce Reid Capital LLC****2816 Kilgore St., Orlando, Florida 32803****Property Address: 1417 E. Lombardy Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-30-12-0120**

**Violation: City of Deltona Ordinance, Section 18-5 adopting the latest edition of the International Property Maintenance Code, Section 303.1, which states that swimming pools shall be maintained in a clean and sanitary condition, and in good repair. (Officer Lonnie Wilson)**

Affidavit of Compliance submitted by the officer and an Order of Compliance was signed by the Special Magistrate.

**K. DEL-15-258****Donald M. Jr., & Virginia Weimer****3536 Tabb Dr., Deltona, Florida 32738****Property Address: 3536 Tabb Dr., Deltona, Florida 32738****Parcel No.: 30-18-31-62-03-0060**

**Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.7, which states that the roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. (Officer Thomas Ruddy)**

First Amended Order of Non Compliance with a Hearing to Impose Fine at the January 27, 2016 Code Hearing.

**L. DEL-15-262****Deutsche Bank****1761 E. St. Andrew Pl., Santa Ana, CA 92705****Property Address: 2487 Lackland Dr., Deltona, Florida 32738****Parcel No.: 30-18-31-32-18-0100****Violation: City of Deltona Ordinance, Section 37-8. - Security requirements.****(c) If a distressed property shows evidence of vacancy, or the property is blighted, the property manager designated by the mortgagee shall perform the work necessary to bring the property into compliance with the applicable codes, and the property manager must perform regular exterior inspections, no less often than every 30 days, to verify compliance with the requirements of this chapter, and any other applicable laws. (Officer Steve Braukhoff)**

First Amended Order of Non Compliance with Hearing to Impose Fine at the January 27, 2016 Code Hearing. Jason Ruggiero, (Stewart Law) representing Deutsche Bank was present.

**M. DEL-15-264****Michael J. Lapointe****3161 Crest Terr., Deltona, Florida 32738****Property Address: 3161 Crest Terr., Deltona, Florida 32738****Parcel No.: 30-18-31-44-29-0320****Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.7, which states that the roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. (Officer Thomas Ruddy)**

Order Imposing Penalty/Lien was issued for \$100.00 a day effective November 24, 2015 until in compliance or the cap of \$20,000.00 is reached.

**N. DEL-15-265**

**JHR Investments LLC**

**1708 Cofield Dr., Deltona, Florida 32738**

**Property Address: 1708 Cofield Dr., Deltona, Florida 32738**

**Parcel No.: 30-18-31-43-28-0110**

**Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.7, which states that the roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. (Officer Thomas Ruddy)**

Order Imposing Penalty/Lien was issued for \$100.00 a day effective November 24, 2015 until in compliance or the cap of \$20,000.00 is reached.

**O. DEL-15-266**

**Freddy Dyer**

**1369 Woodbine Ave., Deltona, Florida 32725**

**Property Address: 1369 Woodbine Ave., Deltona, Florida 32725**

**Parcel No.: 30-18-31-07-75-0060**

**Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 604.3, which states; Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard. (Officer Heather Murray)**

Affidavit of Compliance submitted by the officer and an Order of Compliance was signed by the Special Magistrate.

**P. DEL-15-269**

**Griselda & Jesus X. Nunez**

**1411 E. Lombardy Dr., Deltona, Florida 32725**

**Property Address: 1411 E. Lombardy Dr., Deltona, Florida 32725**

**Parcel No.: 30-18-31-30-12-0110**

**Violation: City of Deltona Ordinance, Section 18-5 adopting the latest edition of the International Property Maintenance Code, Section 303.1, which states that swimming pools shall be maintained in a clean and sanitary condition, and in good repair. (Officer Lonnie Wilson)**

Order Imposing Penalty/Lien was issued for \$50.00 a day effective November 24, 2015 until in compliance or the cap of \$20,000.00 is reached. Officer Murray presented case for Officer Wilson.

**10. NEW BUSINESS:**

**A. DEL-15-270**

**Juan Segovia**

**8115 White Pelican St., Winter Garden, Florida 34787**

**Property Address: 1312 Swiss Ln., Deltona, Florida 32738**

**Parcel No.: 30-18-31-38-12-0320**

**Violation: City of Deltona Ordinance, Section 18-5, which adopting the latest edition of the International Property Maintenance Code, Section 302.7, which states all accessory structures, including detached garages, fences and walls, shall be maintained and kept in good repair and sound structural condition. (Officer Thomas Ruddy)**

Order of Non Compliance with a Hearing to Impose Fine at the January 27, 2016 Code Hearing.

**B. DEL-15-271****Candice M. Shoemaker****3208 Fieldcrest Terrace, Deltona, Florida 32725-3049****Property Address: 3208 Fieldcrest Terrace, Deltona, Florida 32725****Parcel No.: 05-18-31-18-00-0790**

**Violation: City of Deltona Ordinance, Section 18-3, adopting the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit. (Officer Danny Ron)**

Order of Non Compliance with a Hearing to Impose Fine at the January 27, 2016 Code Hearing.

**C. DEL-15-272****Justine Gill****942 Tulip St., Deltona, Florida 32725****Property Address: 942 Tulip St., Deltona, Florida 32725****Parcel No.: 30-18-31-03-45-0020**

**Violation: City of Deltona Ordinance, Section 38-114, which states that furniture outside must be designed to be placed outdoors or stored inside a covered structure. In addition, storage of materials relating to residential use, children's play toys, firewood, brush, logs or any other material intended to be used in fireplaces or other permitted burning facilities, shall be permitted only in the rear yard to the rear wall of the home. (Officer Danny Ron)**

Found to be in Non-Compliance, executed actions to come into Compliance and case was Dismissed.

**D. DEL-15-274****Huamei Lin****140 Fig Tree Run, Longwood, Florida 32750****Property Address: 649 Nardello Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-20-04-0050**

**Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.3, which states that all buildings will have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. (Officer Heather Murray)**

Order of Non Compliance with one time fine of \$250.00 effective January 27, 2016 if not in compliance and to be paid within 30 days.

**E. DEL-15-275****Coley Brown, Jr.****480 Saxon Blvd., Deltona, Florida 32725****Property Address: 1033 Fountainhead Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-10-12-0070**

**Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be remove. (Officer Heather Murray)**

Order of Non Compliance with a Hearing to Impose Fine at the January 27, 2016 Code Hearing.

**F. DEL-15-277****Wendy Jean Fish****PO Box 3209, Deland, Florida 32721****Property Address: 998 Eleanor Ave., Deltona, Florida 32725****Parcel No.: 30-18-31-10-14-0170**

**Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement. (Officer Heather Murray)**

Order of Non Compliance with a Hearing to Impose Fine at the January 27, 2016 Code Hearing.

**G. DEL-15-278****Wendy Jean Fish****PO Box 3209, Deland, Florida 32721****Property Address: 998 Eleanor Ave., Deltona, Florida 32725****Parcel No.: 30-18-31-10-14-0170**

**Violation: City of Deltona Ordinance, Section 38-110 (1), which states that weeds, where the greater portion of weeds on the lot exceeds 12 inches in height, are declared to be a nuisance and must be abated in their entirety. (Officer Heather Murray)**

Order to Abate was issued by the Special Magistrate effective November 24, 2015.

**H. DEL-15-279****G Squared Assoc. LLC****656 San Pablo Ave., Casselberry, Florida 32707****Property Address: 2841 Beal St., Deltona, Florida 32738****Parcel No.: 30-18-31-32-25-0210**

**Violation: City of Deltona Ordinance, Section 66-56, which prohibits all vehicles that are inoperable, wrecked, partially dismantled or otherwise mechanically incapable of being operated in their present condition, or are without a current state license tag if required, unless parked in a fully enclosed garage. (Officer Steve Braukhoff)**

Found to be in Non-Compliance, executed actions to come into Compliance and case was Dismissed.

**I. DEL-15-280****Barbara McNamara****914 Lotus Vista Dr., Altamonte Springs, Florida 32714****Property Address: 2720 Sanger Terr., Deltona, Florida 32738****Parcel No.: 30-18-31-33-13-0220**

**Violation: City of Deltona Ordinance, Section 18-3, adopting the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit. (Officer Steve Braukhoff)**

Found to be in Non-Compliance, executed actions to come into Compliance and case was Dismissed.

**J. DEL-15-281****Cianela Alvarez****2247 Rabenton Rd., Deltona, Florida 32738****Property Address: 2247 Rabenton Rd., Deltona, Florida 32738****Parcel No.: 30-18-31-58-05-0030**

**Violation: City of Deltona Ordinance, Section 18-3, adopting the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit. (Officer Steve Braukhoff)**

Found to be in Non-Compliance, executed actions to come into Compliance and case was Dismissed.

**K. DEL-15-282****Robert Nieves****2838 Howland Blvd., Deltona, Florida 32725****Property Address: 2838 Howland Blvd., Deltona, Florida 32738****Parcel No.: 30-18-31-39-09-0070**

**Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.13, which states that every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. (Officer Dennis Mues)**

Withdrawn.

**L. DEL-15-283**

**Robert Nieves**

**2838 Howland Blvd., Deltona, Florida 32725**

**Property Address: 2838 Howland Blvd., Deltona, Florida 32738**

**Parcel No.: 30-18-31-39-09-0070**

**Violation: City of Deltona Ordinance, Section 18-5, reference to 304.6, adopting the latest edition of the International Property Maintenance Code, which states that exterior walls shall be free from holes, breaks, loose or rotting surfaces and the surface properly coated where required to prevent deterioration. (Officer Dennis Mues)**

Withdrawn.

**11. OTHER AND REPEAT BUSINESS:**

**A. DEL-15-276 Repeat of DEL-14-201**

**Brian K. Bromagen**

**1195 Acorn Ct., Deltona, Florida 32725**

**Property Address: 1197 Acorn Ct., Deltona, Florida 32725**

**Parcel No.: 30-18-31-02-20-0270**

**Violation: City of Deltona Ordinance, Section 18-3, adopting the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit. (Officer Heather Murray)**

Order of Non Compliance with a Hearing to Impose Fine at the January 27, 2016 Code Hearing. Brian K. Bromagen was present.

**12. DISCUSSION:**

**13. ADJOURNMENT:**

6:04 p.m.